REMARKS

The present invention is a method as recited in claims 21-31 and an apparatus to communicate a packet as recited in claims 32-34. In accordance with the invention, first and second parts of a packet are identified followed by classifying one of the first part and the second part differently with the classification being based on data in a checksum coverage field of said packet and transmitting said different parts of said packet differently. The first and second parts may be respectively transmitted with different protection against loss during transmission. See page 4, lines 13-20, and page 9, lines 11-23, through page 11, lines 1-17.

Claims 1-20 stand rejected under 35 U.S.C. §112, first paragraph, as not being enabled regarding the recitation in the rejected claims "based on data in one of a checksum coverage field of a UDP packet and a payload type field of an RTP packet," and further, claims 1-20 stand rejected under 35 U.S.C. §112, first paragraph, regarding the recitation in the rejected claims "using payload type field of a RTP packet to classify one of the packet as more important than the other part". This ground of rejection is moot in view of newly submitted claims 21-34 not reciting the aforementioned limitations.

Claims 1-3, 5-8 and 10 stand rejected under 35 U.S.C. §102 as being anticipated by the IETF publication, "Error Tolerant RTP Payload Format for AMR" which is referred to by the Examiner as Xie. This ground of rejection is traversed for the reason that the Examiner is incorrect in his statement that Xie's description in Section 3.1 suggests the claimed checksum coverage field is used to classify parts of the data packets. Section 3.1 states "checksum protection in traditional UDP is

not a solution since a part of the datagram (such as the RTP header information) still needs data integrity protection from the transport layer" and further, that "[t]hese new unreliable datagram transport protocols let a portion of the carried datagram to be excluded from their checksum calculation, hence bit errors occurred in that portion of data will not cause the datagram being discarded, while the rest of the datagram is still under the checksum protection."

The disclosure above that part of the datagram is not subject to checksum protection does not anticipate nor render obvious the claimed classification of a packet into first and second parts based on data in a checksum coverage field of said packet as recited substantively in all of the claims. Moreover, there is no basis why a person of ordinary skill in the art would be led to modify the teachings of Xie to arrive at the subject matter of newly submitted claims 21-34, including the dependent claims which define more specific aspects of the present invention.

Claims 4, 9, 11 and 20 stand rejected under 35 U.S.C. §103 as being unpatentable over Xie in view of Krishnarajah et al. While Krishnarajah et al disclose splitting of data packets which are transmitted over different bearers, there is no disclosure of the claimed classification utilizing the checksum coverage field. Accordingly, it is submitted that if the proposed combination were made of Xie and Krishnarajah et al, the claimed subject matter of claims 21-34 would not be achieved.

Moreover, minor typographical errors in the specification have been corrected.

In view of the foregoing amendments and remarks, it is submitted that each of the claims in the application is in condition for allowance. Accordingly, early allowance thereof is respectfully requested.

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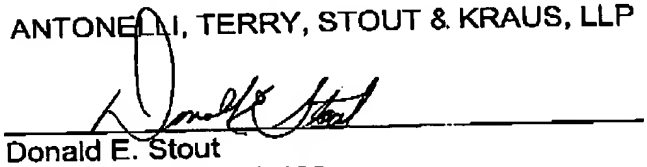
Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP



Donald E. Stout
Registration No. 26,422
(703) 312-6600

DES:dlh